

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 06-13204

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT AUGUST 20, 2009 THOMAS K. KAHN CLERK
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D. C. Docket No. 05-00649-CV-J-HES-HTS

ATLANTIC SOUNDING CO., INC.,
WEEKS MARINE, INC.,

Plaintiffs-Counter-
Defendants-Appellants,

versus

EDGAR L. TOWNSEND,

Defendant-Counter-
Claimant-Appellee,

THOMAS KIMBROUGH,

Defendant.

Appeal from the United States District Court
for the Middle District of Florida

(August 20, 2009)

**ON REMAND FROM THE SUPREME COURT
OF THE UNITED STATES**

Before EDMONDSON, CARNES and FAY, Circuit Judges.

PER CURIAM:

This case comes to us on remand from the Supreme Court of the United States; see Atlantic Sounding Co., Inc., et al v. Townsend, ___ U.S. ___ (2009), affirming our decision in Atlantic Sounding Co., Inc. v. Townsend, 496 F.3d 1282 (11th Cir. 2007). Accordingly, we AFFIRM the district court decision and REMAND the case to the District Court for further proceedings consistent with the Supreme Court's opinion.

AFFIRMED and REMANDED.